

**AGENDA - COUNCIL MEETING - WEDNESDAY - JUNE 1, 2005 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2005-0462 to 2005-0472**  
**ORDINANCES – 2005-0669 to 2005-0694**  
**RESOLUTION – 2005-0010**

**2005-0461-1**

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE  
CITY SECRETARY PRIOR TO COMMENCEMENT

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Wiseman

**9:00 A. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**9:30 A. M. - PUBLIC SPEAKERS** - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

**MAYOR'S REPORTS**

**Motion 2005-0464 – Accept report**

**REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

**CONSENT AGENDA NUMBERS 1 through 43**

**MISCELLANEOUS** - NUMBERS 1 and 2

**Motion 2005-0462 – Suspend rules to consider Items 1, 3 and 14 out of order**

**1. Motion 2005-0463**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**:

Position 1 - **MR. NEAL S. MANNE**, appointment, for a term to expire 8/31/2006

Position 2 - **MR. BA MAU NGUYEN**, reappointment, for a term to expire 8/31/2006

Position 3 - **MR. J. KENT FRIEDMAN**, reappointment, for a term to expire 8/31/2006

Position 5 - **MRS. JANIE REYES**, appointment, for a term to expire 8/31/2005

Position 11 - **MR. ROLAND GARCIA**, appointment, for a term to expire 8/31/2005

**MISCELLANEOUS** - continued

**2. Motion 2005-0468**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of additional funds in the amount of \$75,769.00 for FY2004 Operations and Maintenance Budget for the **SAN JACINTO RIVER AUTHORITY** - Enterprise Fund

**ACCEPT WORK** - NUMBERS 3 through 5

**3. Council Member Galloway tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,499,829.01 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Neighborhood Street Reconstruction Project No. 437A, GFS N-0369-02-3 (SB9055) - 04.81% under the original contract amount - **DISTRICT G - HOLM**

**4. Council Member Galloway tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,986,283.96 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-S6-3 (4257-38) - 03.53% over the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO**

**5. Council Member Lawrence tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,105,873.68 and acceptance of work on contract with **HORSESHOE CONSTRUCTION, INC** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-T6-3 (4235-21) - 02.18% under the original contract amount

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 6 through 10

**6. Motion 2005-0466**

**REECE SUPPLY CO. OF HOUSTON** for Wide-Format Printing System for Houston Airport System - \$38,165.00 - Enterprise Fund

**7. Motion 2005-0469**

**TEXAS COMMISSION ON FIRE PROTECTION** for payment of Annual Certification/ Re-certification of Firefighters for Fire Department - \$150,000.00 - General Fund

**8. Motion 2005-0470**

**PHILPOTT MOTORS, LTD** for Automobiles and Utility Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston Galveston Area Council for the Police Department \$778,980.00 - Equipment Acquisition Consolidated Fund

**9. Motion 2005-0467**

**EXODUS R. J.** for Chemicals, Aqua Ammonia Contract for Department of Public Works & Engineering - \$424,304.48 - Enterprise Fund

**10. Motion 2005-0471**

**MITY-LITE** - \$33,785.44, **ALLSTEEL, INC** - \$313,689.08, **THE HON COMPANY** - \$27,795.45 and **CORPORATE EXPRESS** - \$36,117.28 for Office Furniture from the State of Texas Building and Procurement Commission's Contracts for Various Departments - \$411,387.25 - General, Grant, Enterprise and Building Inspection Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 11 through 43

**Motion 2005-0465 – Suspend rules to hear Mr. Leon Alderser out of order**

**11. Resolution 2005-0010**

RESOLUTION of the City Council prescribing the date, time and location of a public hearing on the City Budgets for the time period July 1, 2005 through June 30, 2006; authorizing notice of such public hearing and making other provisions related to the subject

**HEARING DATE - TUESDAY - 1:30 P.M. - JUNE 14, 2005**

**12. Ordinance 2005-0669**

ORDINANCE consenting to the addition of 42.3661 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 104**, for inclusion in its district

**13. Ordinance 2005-0670**

ORDINANCE consenting to the addition of 12.3379 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383**, for inclusion in its district

**14. Council Member Galloway tagged**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 439**

**15. Ordinance 2005-0671**

ORDINANCE consenting to the addition of 14.6588 acres of land to **HORSEPEN BAYOU MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY, TEXAS**, for inclusion in its district

**16. Ordinance 2005-0672**

ORDINANCE consenting to the addition of 0.9743 acres of land to **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT OF FORT BEND AND HARRIS COUNTIES, TEXAS**, for inclusion in its district

**17. Ordinance 2005-0673**

ORDINANCE consenting to the addition of 23.7423 acres of land to **LOUETTA NORTH PUBLIC UTILITY DISTRICT**, for inclusion in its district

**18. Ordinance 2005-0674**

ORDINANCE consenting to the addition of 379.9 acres of land to **MONTGOMERY COUNTY DRAINAGE DISTRICT NO. 10**, for inclusion in its district

**19. Ordinance 2005-0675**

ORDINANCE consenting to the addition of 6.8131 acres of land to **SOUTHERN MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**20. Council Member Green tagged**

ORDINANCE approving and authorizing application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the Safe and Drug Free Schools Program; declaring the city's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICTS F - KHAN and I - ALVARADO**

**RESOLUTIONS AND ORDINANCES - continued**

**21. Council Member Green tagged**

ORDINANCE approving and authorizing an application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's Representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**22. Ordinance 2005-0684**

ORDINANCE authorizing the execution of a grant application to the **FEDERAL LANDS TO PARKS PROGRAM** for the no cost transfer to the City for public park or recreational purposes of approximately 14 acres of land in the E. Nowland Survey, Abstract No. 600, Harris County, Texas

**23. Ordinance 2005-0685**

ORDINANCE authorizing the acceptance of grant from the **DEPARTMENT OF STATE HEALTH SERVICES** for the City's Readiness Initiatives Program (DSHS No. 7460011640-05-10); declaring the city's eligibility for such grants; authorizing the Director of the Health and Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any

**24. Ordinance 2005-0686**

ORDINANCE approving and authorizing first contract amendment between the City of Houston and **VOLUNTEERS OF AMERICA TEXAS, INC** to provide up to \$400,043.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds for the Operation of Two Community Residences and Administration of a Short-term Rent, Mortgage and Utility Assistance Program, along with providing supportive services

**25. Ordinance 2005-0687**

ORDINANCE authorizing Change Order No. 2 to Purchase Order No. 00032000900 issued to **CDI MANAGEMENT SERVICES, INC** for Emergency Home Repairs; authorizing the City Engineer to approve additional change orders up to a maximum amount of \$50,000.00 **DISTRICTS B - GALLOWAY and D - EDWARDS**

**26. Ordinance 2005-0676**

ORDINANCE appropriating \$250,000.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535) as an additional appropriation for payments required by the Federal Uniform Relocation Assistance Act to Persons displaced from property acquired for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-66-1 (approved by Ordinances 2003-1300, 2005-0617 and 2005-1068) - **DISTRICT B - GALLOWAY**

**27. Ordinance 2005-0688**

ORDINANCE approving and authorizing first amendment to agreement between the City and **MOTOROLA, INC** for the Police Handheld Ticket Issuance System

**28. Council Members Ellis and Green tagged**

ORDINANCE approving and authorizing contract between the City and **AVW-TELAV INC** for Audio-Visual Services for Convention & Entertainment Facilities Department - 2 Years with three one-year renewals - Revenue - **DISTRICT I - ALVARADO**

**RESOLUTIONS AND ORDINANCES** - continued

**29. Council Member Green tagged**

ORDINANCE amending Ordinance No. 2002-473 to increase the maximum contract amount to contract between the City of Houston and **HAHN EQUIPMENT COMPANY, INC** for Submersible Pump Repair Services for Public Works and Engineering Department - \$300,261.25 - Enterprise Fund

**30. Council Members Wiseman and Sekula-Gibbs tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **ABITIBI-CONSOLIDATED CORPORATION** for Processing and Marketing Commingled Recyclable Materials for Solid Waste Management Department - 5 Years with two one-year renewals - Revenue

**31. Council Member Garcia tagged**

ORDINANCE appropriating \$413,018.73 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation, GFS N-0611-12-3; S-0521-E8-3 (N-0611-12); for the Reimbursement of Texas Department of Transportation for Reconstruction of Hempstead Highway from Mangum Road to West of 12th Street under construction contract with the TXDOT (approved by Ordinance No. 98-324) - **DISTRICTS A - LAWRENCE and H - GARCIA**

**32. Ordinance 2005-0677**

ORDINANCE appropriating \$698,500.00 out of Street & Bridge Consolidated Construction Fund and approving authorizing a professional engineering services contract between the City of Houston and **CHARLES D. GOODEN CONSULTING ENGINEERS, INC** for the Design of Neighborhood Street Reconstruction Project No. 448, GFS N-0380-01-2 (SB9208); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS D - EDWARDS and E - WISEMAN**

**33. Ordinance 2005-0678**

ORDINANCE appropriating \$4,211,000.00 out of Drainage Improvements Commercial Paper Series F, Fund \$1,828,000.00 out of Water & Sewer System Consolidated Fund, \$5,042,000.00 from Series E Commercial Paper Metro Projects Fund, awarding construction contract to **CONRAD CONSTRUCTION CO., INC** for Braes Boulevard Storm Sewer Project, GFS M-0255-01-3 (SM5040-01); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund, the Water & Sewer System Consolidated Fund and the Series E Commercial Paper Metro Projects Fund - **DISTRICT C - GOLDBERG**

**34. Ordinance 2005-0679**

ORDINANCE appropriating \$9,673,400.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INDUSTRIAL TX CORP.** for Turkey Creek Wastewater Treatment Plant Improvements, GFS R-0265-11-3 (WW4760-09); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

**35. Council Members Khan, Sekula-Gibbs and Goldberg tagged**

ORDINANCE appropriating \$16,028,000.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing an agreement between the City of Houston and **ANDRITZ-RUTHNER, INC** for the purchase of Two Sludge Drying Systems for the Almeda Sims Sludge Processing Facility, GFS R-0298-02-3 (WW4813-02); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D- EDWARDS**

**RESOLUTIONS AND ORDINANCES** - continued

**36. Ordinance 2005-0680**

ORDINANCE approving \$5,568,660.00 out of the Water & Sewer System Consolidated Construction Fund, awarding construction contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-in Place Pipe Method, GFS R-2013-14-3 (WW4258-20); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**37. Ordinance 2005-0689**

ORDINANCE appropriating \$1,115,800.00 out of Water & Sewer System Consolidated Construction Fund No. 755, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Waterline Replacement Project in Airport South Subdivision & Yale St. Bridge Crossing, GFS S-0035-A1-3 (WA10761); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund No. 755 - **DISTRICTS D- EDWARDS and H - GARCIA**

**38. Ordinance 2005-0681**

ORDINANCE appropriating \$2,129,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Corder Area, GFS S-0035-A5-3 (WA10765); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D- EDWARDS**

**39. Ordinance 2005-0690**

ORDINANCE appropriating \$1,853,500.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **R. K. WHEATON, INC** for Construction of Water Line Replacement in Near Northside-North Area, GFS S-0035-D1-3 (WA10792); providing funding for engineering and testing services, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GARCIA**

**40. Ordinance 2005-0682**

ORDINANCE appropriating \$6,255,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding Contract to BOYER, INC for Supervisory Control & Data Acquisition (SCADA) and Security Communications Network for Water Production Facilities, GFS 5-0522-08-3 (WA10659-3); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**41. Ordinance 2005-0683**

ORDINANCE appropriating \$1,497,600.00 out of the Water & Sewer System Consolidated Construction Fund, awarding construction contract to **D. L. ELLIOTT ENTERPRISES, INC** for Construction of 12/16/20-inch service upgrades and grid extensions in the Greater Greenspoint Area, GFS S-0900-A4-3 (WA10448-07); setting a deadline for the bidder's execution of tile contract and delivery of all bonds, insurance and other required contract documents to the city; providing funding for engineering and testing services, construction management and contingencies relating to the construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**RESOLUTIONS AND ORDINANCES** - continued

**42. Ordinance 2005-0691**

ORDINANCE appropriating \$487,995.00 out of General Improvements Consolidated Construction Fund; awarding construction contract to **M & I ELECTRIC INDUSTRIES, INC** for Municipal Courts Building Electrical Upgrade, GFS D-0105-02-3; setting a deadline for the bidder's insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for construction management and contingencies relating to construction of facilities financed by General Improvements Consolidated Construction Fund 441 **DISTRICT H - GARCIA**

**43. Ordinance 2005-0692 – Passed first reading**

ORDINANCE granting to **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** the right, privilege and franchise to use the public rights-of-way to use, license, or exploit the company's facilities within the public rights-of-way to conduct an electric delivery business in the City and for such other business purposes as the company may desire from time to time, specifically including, but not limited to, the granting of access to those facilities for the delivery of broadband through power lines or similar service within the City of Houston, Texas - **FIRST READING**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**MATTERS HELD** - NUMBERS 44 through 46

**44. Ordinance 2005-0693**

ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **CARTER AND BURGESS, INC** for Safe Sidewalk Program, GFS N-0610A-H0-2 (SB9214); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER QUAN**

This was Item 29 on Agenda of May 24, 2005

**45. Motion 2005-0472 – Postpone two (2) weeks**

ORDINANCE approving and authorizing Professional Artist Services Agreement between the City of Houston and **SUZANNE SELLERS** to create a Mural for Fire Station 27 and accepting the mural into the City's Art Collection upon completion - **DISTRICT H - GARCIA**

**TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 30 on Agenda of May 24, 2005

**46. Ordinance 2005-0694**

ORDINANCE appropriating \$109,844.51 out of Fire Consolidated Construction Fund, \$173,245.25 out of Public Health Consolidated Construction Fund, \$329,711.72 out of Parks Consolidated Construction Fund, \$163,220.44 out of Police Consolidated Construction Fund, \$228,663.66 out of General Improvements Consolidated Construction Fund, \$23,064.24 out of Solid Waste Consolidated Construction Fund and \$363,051.03 out of Public Library Consolidated Construction Fund for Project Management Costs; providing funding for contingencies relating to construction of facilities financed by the above mentioned funds

**TAGGED BY COUNCIL MEMBER GALLOWAY**

This was Item 35 on Agenda of May 24, 2005

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Holm first

**ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER**

**NOTE** - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**6/1/2005 – Council Member Quan out of the City on City business**